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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,368	07/29/2003	Praba Kharan Baptist	2993-479US RM/JR/mp	5159

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EXAMINER

SUKMAN, GABRIEL S

ART UNIT PAPER NUMBER

3641

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/628,368	Applicant(s) BAPTIST ET AL.	
	Examiner Gabriel S. Sukman	Art Unit 3641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings were received on 11 May 2005. These drawings are acceptable.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-6, 8-20, 22, 24, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,435,990 to Weiler.

The following is a copy of the discussion in the previous Office Action, as the rejections are maintained:

The deicing system of Weiler teaches all of the limitations of claims 1 and 13. The device of Weiler utilizes pressurized lubricating oil (used to lubricate bearings, 15, 33, and 34) to heat the components of the engine inlet including the inlet grille as well as the outer nacelle lip, as seen in figure 1 and in detail in figures 2 and 3. The inlet lip of Weiler defines a leading edge of the nacelle and has a conduit therein (headers 56 and 57) that is in fluid flow communication with the pressurized oil system (via conduit 53, which feeds the pressurized oil from the pump, 50, and distributor, 52) and defines an oil passage for circulation therethrough, as is clearly seen in the figures. The conduit is formed by the material forming the outer surface of the lip and is thus clearly in heat transfer communication with the outer surface.

Claims 2 and 14 are clearly anticipated by Weiler since the conduit (headers 56 and 57) is clearly annular.

Claims 3 and 15 are clearly anticipated by Weiler since the headers, 56 and 57, are each tubes that are fixed within the inlet lip.

Claims 4, 5, 16, 17, and 19 are anticipated by Weiler as well since the tube (56 and 57) is integral with the lip. These claims being product claims as opposed to process claims, the fact that the conduit is integral with the inlet lip is sufficient to anticipate that the conduit is "cast therewithin".

Claims 6 and 20 are anticipated by Weiler as well since the wall (the unreferenced liner through which the conduits 53 and 60 pass oil through) is an inner liner that is fixed to an inner surface of the inlet lip and defines an oil passage between itself and the inner surface of the inlet lip.

Claims 8 and 22 are anticipated by Weiler since the wall, as defined above with reference to claims 6 and 20, is a structural support as well.

Claims 9 and 18 are anticipated by Weiler since Weiler teaches two annular conduits, 56 and 57.

Claim 10 is anticipated by Weiler since the headers, 56 and 57 are integrally formed within the inlet lip.

Claim 11 is anticipated by the control system of Weiler made up of the pump, 50, distributing system, 52, and thermostat, 65.

Claims 12 and 24 are clearly anticipated.

The method of claim 25 is clearly anticipated by the disclosure of Weiler, as per the discussion above regarding claims 1 and 13.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiler.

Weiler discloses all of the limitations of claims 7 and 21, as discussed above, but does not explicitly teach that the liner and lip are made of sheet metal. But sheet metal is an old and very well known material that is commonly used in forming aircraft components and specifically for forming the inlet lip and associated elements. It therefore would have been obvious to one having ordinary skill in the art to form the inner liner and inlet lip of the device of Weiler out of sheet metal since it is an old well known material in the art and is commonly utilized for its high strength to weight properties as well as its relative inexpensiveness and availability.

Response to Arguments

Applicant's arguments filed 11 May 2005 have been fully considered but they are not persuasive.

The rejections are maintained because the examiner contends that at least the conduits (56 and 57) of Weiler have an inlet and an outlet (e.g., header 56 has an inlet

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at 53 in figure 3 and an outlet to the tubes, 38 and 39) that are interconnected by an arcuate flow path that constrains pressured engine oil to flow through the conduit from the inlet to the outlet. With respect to claim 13, the two headers together are considered to be a "conduit extending from an inlet thereof to an outlet thereof around a majority of a perimeter of the inlet lip." It is only claimed that the conduit extends around a majority of the perimeter, not the flowpath.

Allowable Subject Matter

Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel S. Sukman whose telephone number is (571) 272-6883. The examiner can normally be reached on M-F, 8:30-6:00, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone can be reached on (571) 272-6873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gss



MICHAEL J. CARONE
SUPERVISORY PATENT EXAMINER